

## ARTICLE 9: DEVELOPMENT STANDARDS

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### § 900 PURPOSE.

A. The regulations set forth in this article serve as the general provisions for this Code, where not specified in Article 6, District Regulations.

B. No use or structure shall be operated in a manner to be an explosion or fire hazard; or cause smoke, soot, dust, radiation, odor, noise, vibration, heat, glare or toxic fumes to be exhausted or emitted into the atmosphere to constitute a nuisance; nor shall water-carried waste or pollutants be diverted into any water course.

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### § 901 AREA AND YARD REGULATIONS.

**901.01 Yards.** A yard is defined in Article 2. Where reference is to a “required setback” for a structure, the setback shall designate the minimum yard required. Yard and setback requirements for each district are specified in Article 6.

A. No lot area shall be reduced in such a manner to reduce any yard or open space below the minimum required except as provided in § 901.02.

B. No yard or open space required for a structure on 1 lot shall serve the same purpose for a structure on another lot.

C. Through lots fronting on 2 streets shall be considered, for required setback purposes, to have 2 front yards.

D. No device, such as a door or window, may be installed to protrude beyond a lot boundary in its operation.

E. In any residential zoning district, buildings used for public or semi-public uses and churches shall maintain a minimum separation of 50 feet from any single-family use.

F. In any commercial and non-residential district, wherever a lot abuts a lot in any residential district, a minimum building setback of 20 feet from the residential lot shall be required.

G. Trash receptacles enclosed with wood fencing, solid masonry walls or other suitable screening and with gates shall be provided for each non-residential or multifamily use, subject to the approval of the Director. Any residential use which uses a 1-yard or greater trash receptacle shall also enclose the receptacle with wood fencing, solid masonry walls or other suitable screening with gates. All non-residential and multifamily receptacle enclosures shall be set back a minimum of 20 feet from any residential district boundary and shall be maintained in a neat and sanitary condition, in order to safeguard the health, safety and general welfare of adjacent properties, subject to the approval of the Director.

**901.02 Yard Deviations.** Where not in conflict with a future street width line, the following deviations in required yards are allowed.

#### A. Front yard deviations.

1. On lots rising or dropping in elevation from front to center and exceeding 26% grade, the front yard may be reduced by not more than 50% of the required minimum front yard depth.

2. Where natural features such as watercourses, rock outcrops, existing healthy mature vegetation and trees occur on a lot or parcel, then the provisions of § 405 may be applied to reduce the setback requirements for that lot or parcel by no more than 25%.

**901.03 Encroachment into Yards.** No structure, other than fences, freestanding walls or signs, shall encroach on or reduce any open space, yard, setback requirement, lot area or parking area as designated under these provisions or under the provisions of the district in which the structure is located, except for the following provisions.

A. In any residential district, steps and architectural features, such as, eaves, cornices, awnings, chimneys or wingwalls, may project not more than 5 feet into any required front or rear yard area, or into any required side yard area more than one-half of the side yard. Greater projections may be permitted by the Director when it is demonstrated that such additional projections are needed for solar or alternate energy purposes.

B. In any residential district, balconies, porches or decks shall not encroach or project into any required front yard area but may encroach into any required side and rear yard by not more than ½ of the required side and rear yard areas.

C. Canopies, or roofs attached to the main building or connecting the main building to a detached accessory building, may extend into a required rear or interior side yard, provided that portions of this structure extending into the yard comply with the following requirements:

1. The canopy shall not exceed 15 feet in height or project closer than 5 feet to an interior side or rear lot line;

2. The canopy shall be entirely open on at least 3 sides except for necessary supporting columns; a roof connecting a main building and an accessory building shall create a space open on at least 2 sides.

D. In any commercial district, porches, steps and architectural features, such as, canopies or eaves,

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chimneys, balconies or stairways, shall not project more than 5 feet into any required yard area. Canopies for service stations and other uses associated with the pumping of gasoline, shall not project into any required yard. Greater projections may be permitted by the Director when it is demonstrated that such additional projections are needed for solar or alternate energy purposes.

E. In any district, a bay window, stairway, entrance or vestibule, not exceeding a 10-foot width, may project 5 feet into any required front or rear yard.

F. In all residential districts, required front and street side yards shall not be used for the parking or storage of any motor vehicle or vehicle accessory, such as camper shells, trailers, motor bikes or other wheeled accessories or conveniences, but operable motor vehicles may be parked on the driveway or accessway to the garage or carport.

G. Swimming pools and spas, including all accessory or appurtenant structures and equipment, shall maintain a minimum setback of 5 feet from all property lines and buildings. Pool and spa equipment may be permitted less than 5 feet from property lines when fully screened by a solid masonry wall from the neighboring property. Swimming pools and spas, including all accessory or appurtenant structures and equipment that are located within a platted building envelope that is surrounded by open space held in common by an owners association may be permitted less than 5 feet from the property line provided that there are no encroachments into the common area.

H. All electrical service equipment and subpanels, air conditioners, heating, cooling and ventilating equipment, propane tanks and all other mechanical equipment shall maintain a minimum setback of 5 feet from all property lines except if the equipment is behind a solid block wall.

(Am. Ord. 2009-15, passed 10-13-2009)

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### **§ 902 ACCESSORY USES AND STRUCTURES.**

#### **902.01 General Requirements.**

A. Accessory uses, including facilities and equipment, are permitted in conjunction with any principal use, provided the accessory use is compatible with the principal use and does not alter the character of the premises. Any reference to a permitted use shall include the accessory use.

B. Accessory buildings or structures may be attached to or detached from the principal or main building. No accessory building housing fowl or animals, other than domestic pets, may be attached to any dwelling unit.

C. Accessory uses or structures are allowed prior to installation of the principal structure only when a building or construction permit is issued for the principal structure and construction of the principal structure begins within 6 months.

#### **902.02 Accessory Structures in all Districts.**

A. An accessory structure that is attached to a main structure shall meet all of the requirements for location of the main structure.

B. Detached accessory structures shall comply with the following:

1. A detached structure shall meet the setback requirements of the main building for front and side yards.

2. A detached accessory structure which does not exceed 15 feet in height may project to within 5 feet of the rear property line.

3. Any detached structure located within the rear setback area cannot be used for residential purposes and shall not include cooking facilities, bathtubs or showers.

C. In any multi-family residential district, mobile or manufactured homes may not be used as a main or guest dwelling or accessory structure.

#### **902.03 Outside Storage.**

A. In all residential districts, a maximum area of 200 square feet may be used on any 1 lot or parcel for the outdoor storage of any used or secondhand materials,

including but not limited to, lumber, auto parts, household appliances, pipe, drums, machinery or furniture. Such outdoor storage shall be screened by a wall, fence, landscaping, structure, or other suitable screening from adjacent properties and streets, and shall be located only in rear or interior side yards.

B. All boats, trailers, motor homes, travel trailers, recreational vehicles and buses shall be kept in reasonable repair and operable and neatly arranged in a parked condition, located in the rear or interior side yard and shall be screened from adjacent properties and streets by a wall, fence, gate, landscaping or other suitable screening. Operable motor vehicles may be parked on the driveway or accessway to the garage or carport.

C. No travel trailers, motor homes or recreational vehicles on residentially zoned parcels or lots shall be used or made suitable for use or occupancy.

D. No mobile home shall be placed or kept on a lot without a current valid building permit and without erection of permanent foundations and hook-ups to facilities, permanent piers, blocks or foundations.

E. The outside storage of objects and materials shall be permitted as an accessory use in C-1, C-2 and C-3 districts, providing that such storage is totally screened from the view of any contiguous property, right-of-way or easement by means of a masonry wall, solid wood fence or other suitable screening and/or landscaping, unless otherwise provided for in Article 6. Outside storage as an accessory use shall not include the display of merchandise for sale, except as provided in Article 6. Vending machines permanently installed against but outside a structure shall not be considered an outside display, provided the number of such machines is approved by the Director.

F. The outside placement of metal storage containers shall be limited to C1, C2, C3 and RS-70 zones. No storage unit shall exceed the individual dimensions of 20 feet in length by 8 feet wide by 10 feet in height (20' x 8' x 10').

(Am. Ord. 2006-02, passed 1-10-2006)